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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECH CENTER 1600/2900

In re Application of: Shinichi Eda *et al.*

Examiner: Gailene R. Gabel

U.S. Serial No: 09/827,846

Group Art Unit: 1641

Filed: April 6, 2001

Docket No.: 100554-34635

For: MICROPARTICLE ENHANCED LIGHT SCATTERING AGGLUTINATION ASSAY

Assistant Commissioner for Patents  
Box AF  
Washington, DC 20231

9/9/02  
NOT ENTERED

**Amendment under 37 C.F.R. § 1.116**

In response to the Final Office Action mailed June 4, 2002, please amend the above-identified patent application as follows:

**In the Specification:**

Page 1, please substitute the following paragraph for the paragraph beginning at line 5:

(Amended) This application is a divisional of U.S. Serial No. 09/179,744, filed August 5, 1998, now U.S. Patent No. 6,248,597, issued June 19, 2001.

**In the Claims:**

Please cancel Claims 19 and 21 and substitute the following amended Claim 1 for the originally filed Claim of the same number:

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1.(Amended) A reagent for performing an agglutination assay for determining the amount of an analyte in a sample, said reagent comprising a mixture of microparticles, said mixture comprising first microparticles having a mean diameter and a refractive index, wherein said first microparticles are selected from the group consisting of